

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VENTAS REALTY, LIMITED)	
PARTNERSHIP,)	
)	
Plaintiff,)	
)	No.: 12-cv-3107
v.)	
)	Judge Ronald A. Guzman
ALC CVMA, LLC, ALC GGMG, LLC,)	
ALC HTIF, LLC, ALC PEDG, LLC, ALC)	Magistrate Judge Sidney I. Schenkier
TPCG, LLC, ALC TISSC, LLC, ALC)	
TSKG, LLC, and ALC WRWG, LLC,)	
)	
Defendants.)	

**MOTION TO SUPPLEMENT MEMORANDUM IN SUPPORT OF MOTION
FOR EXPEDITED APPOINTMENT OF RECEIVER**

1. On May 7, 2012 Plaintiff filed an Expedited Motion for Appointment of Receiver (“Receiver Motion”).

2. In Conjunction with the Receiver Motion, Plaintiff filed its Memorandum In Support of Motion for Expedited Appointment of Receiver (“Memorandum”). In the Memorandum, Plaintiff contends, *inter alia*, that the Defendants’ operation of the Peachtree Estates facility in Dalton, Georgia is causing continuing irreparable harm to the reputation and goodwill of the facility. (Memorandum pp. 5-6 and 10-11). As set forth in the Memorandum, Peachtree Estates is the subject of not only a Notice of Intent to Revoke Permit issued by the Georgia Department of Community Health, but also substantially adverse publicity damaging the reputation and business of that facility.

3. Last night, WRCB Channel 3 News in nearby Chattanooga, Tennessee aired a third segment of an ongoing investigative report on the condition of Peachtree Estates.

4. Plaintiff respectfully requests that the Court consider the WRCB Channel 3 investigative reports as supplemental support of Plaintiff's claim that it is suffering ongoing irreparable harm to the goodwill and reputation of the Peachtree Estates facility and the other facilities that are the subject of the Receiver Motion.

5. The links to the three televised reports are as follows:¹

a. April 7, 2012 Report:

<http://www.wrcbtv.com/story/17355269/assisted-living-facility-in-dalton-facing-state-shutdown>

b. April 13, 2012 Report:

<http://www.wrcbtv.com/story/17419630/peachtree-estates-not-backing-down-on-client-contract>

c. May 7, 2012 Report:

<http://www.wrcbtv.com/story/18168421/peachtree-estates>

WHEREFORE, Plaintiff respectfully requests that this Motion to Supplement Memorandum in Support of Motion for Expedited Appointment of Receiver be granted and that the Court consider with respect to the pending Receiver Motion this additional and very recent information concerning the continuing harm to Plaintiff as a result of Defendants' operation of the facilities.

¹ In case the Court is unable to access the TV reports on the television station's website, Plaintiff is providing the Court and counsel of record a DVD with the three TV reports and a Video Installer in the event the videos are incompatible with the recipient's operating systems.

Dated: May 8, 2012

Respectfully submitted,

VENTAS REALTY, LIMITED PARTNERSHIP

By: /s/ Roger H. Stetson
One of Its Attorneys

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